The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a NAMES AND ASSESSED ASSESSED AND A SET A SET AND SET ASSESSED OF 10' instead of the required 30' and to permit parking spaces to be located 2 ft. from the street property line in lieu of the required 8 ft. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Hardship
2. Practical difficulty

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baitimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): Contract Lurchaser: rancis Glenn Winkler. (Type or Print Name) (Type or Print Name) 247-5191 9051 Furrow Ave. Ellicott City, MD 21043 **5**14 Bosley Ave. Towson, MD 21204 Attorney's Telephone No.: 828-9441 ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of June, 19.84, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____31st ____ day of _____July ____, 19_84_, at 10:00 o'clock A. M.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 18, 1984 COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

F. Vernon Boozer, Esquire
614 Bosley Avenue Towson, Maryland 21204

Dear Mr. Boozer:

RE: Item No. 317 - Case No. 85-29-A Francis Glenn Winkler

Variance Petition

MEMBERS Bureau of Department of Traffic Engineering State Roads Commission

Nicholas B. Commodari

Chairman

Fire Prevention Realth Department Project Planning Building Department Board of Education Zoning Administration

Plant of

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning. Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Micholas B. Commadare Lice Zoning Plans Advisory Committee

Enclosures

cc: John C. Mellema, Sr., Inc. 6100 Baltimore National Pike Baltimore, Md. 21228

BALTIMORE COUNTYS

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon Date July 18, 1984 TO Zoning Commissioner Norman E. Gerber, Director

FROM Office of Planning and Zoning Francis Glenn Winkler SUBJECT No. 85-29-A

Assuming compliance with the comments of ZPAC, this office has no additional comment.

Norman E. Gerber, Director Office of Planning and Zoning

NEG/JGH/sf

85-29-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONIN

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 20th day of June 1984

Petitioner Francis Glean Winkler Received by Multon Stommo F. Vernon Booser, Esquire

Chairman, Zoning Plans Advisory Committee

Maryland Department of Transportation

Lowell K. Bridwell Hal Kassoff

June 6, 1984

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 5-29-84 ITEM: #317. Property Owner: Francis Glenn Winkler Location: SE/S Southwestern Blvd., Route 1-S 184.35' N/E from c/1 Knecht

> Existing Zoning: M.L.-IM Proposed Zoning: Variance to permit a rear yard setback of 10' in lieu of the required 30'. Acres: 0.766 District: 13th

Dear Mr. Jablon:

On review of the submittal of 2-17-84 and field inspection, the State Highway Administration finds the plan generally acceptable.

> Very truly yours, Charle Fee Charles Lee, Chief Bureau of Engineering Access Permits

CL:GW:maw

By: Ceorge Wittman

cc: Mr. J. Ogle

My ielephone number is (301) 659-1350 Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

JAN 24 1985

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E. DIRECTOR

June 15, 1984

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Item 317 (1983-1984) Property Owner: Francis Glenn Winkler S/ES Southwestern Blvd. 184.35 N/E from centerline Knecht Ave.

Acres: 0.766 District: 13th

Dear Mr. Jablon

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Southwestern Boulevard (U.S. 1) is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

Knecht Avenue, an existing public road, has been permanently closed at the Penn Central Railroad (High Speed Amtrack) crossing. No further improvements are proposed at this time.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards and Specifications.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading including the stripping of top soil.

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Item 317 (1983-1984) Property Owner: Francis Glenn Winkler June 15, 1984

Storm Drains: (Cont'd)

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Drainage is tributary to this property at the northeast corner.

The Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

A future drainage and utility easement is required within this property.

Water and Sanitary Sewer: There is a 12-inch public water main and 8-inch public sanitary sewerage

in Knecht Avenue.

GSB:EAM:FWR:SS

G-SW Key Sheet 13 £ 14 5W 14 Pos. Sheets SW 4 D Topo

101 Tax Map

Fursiant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/wealdenext result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general relifare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of August, 19 84, that the karein Petition for Variance(s) to permit a rear yard setback of ten feet instead of the required 30 feet and parking spaces to be located two feet from the street property line instead of the required eight feet, in accordance with the site plan marked Petitioner's Exhibit 1, be and is hereby GRANTED, from and after the date of this Order, subject to the following:

> 1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this ble appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

cc: F. "ernon Boozer, Esquire People's Counsel

DAT

FOR

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

June 22, 1984

Office of Planning and Zoning County Office Building Towson, Maryland 21204

> Dear Mr. Jablon: Comments on Item # 317 Zoning Advisory Committee Meeting are as follows:

Francis Glenn Winkler
SE/S Southwestern Blvd. 184.35' N/E from c/l Knecht Avenue.
M.L.-IM Proposed Zoning: Variance to permit a rear yard setback of 10' in lieu of the required 30'.

X A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other appli-

permit shall be required before beginning construction. C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Family use group.of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code,

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Brawings may require

W. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

A I. comments Building shall comply with setbacks required under "General Building Limitations of Article Five" Table 401, Table 505 and/or Section 505.0. Show compliance to State Handicapped Code, See applicability Section .02 of State Regulations 05.01.07.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave.,

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

6/27/84

Mr. Arnold Jablon Zoning Commissioner Coury Office Building Towson, Maryland 21204

Re: Zoning Advisory Meeting of 5-29-84 Property Owner: Francis Glenn Winkler Location: SE/s Southwestern Blud.

NE from Knoch+ Ave.

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are

)There are no site planning factors requiring comment.
)A County Review Group Meeting is required.)A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.)This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.)A record plat will be required and must be recorded prior to issuance of a building permit.)The access is not satisfactory. The circulation on this site is not satisfactory.)The parking arrangement is not satisfactory.)Parking calculations must be shown on the plan.)This property contains soils which are defined as wetlands, and development on these soils is prohibited.)Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Development of this site may constitute a potential conflict with

the Baltimore County Master Plan.)The amended Development Plan was approved by the Planning Board)Landscaping should be provided on this site and shown on the plan. (x) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change

traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council. (★)Additional comments:

RE: PETITION FOR VARIANCE SE/S Southwestern Blvd., 184.35' NE of Knecht Ave. (4307 Southwestern Blvd.)

Petitioner

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

13th District FRANCIS GLENN WINKLER,

: Case No. 85-29-A

ENTRY OF APPEARANCE

::::::

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Phyllis Cole Fruedman Phyllis Cole Friedman People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Rm. 223, Court House Towson, MD 21204 494-2188

1 HEREBY CERTIFY that on this 18th day of July, 1984, a copy of the foregoing Entry of Appearance was mailed to F. Vernon Boozer, Esquire, 614 Bosley Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENG TOWSON, MARYLAND 21204 494-3550 DEPARTMENT OF TRAFFIC ENGINEERING

July 2, 1984

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

STEPHEN E. COLLINS DIRECTOR

-ZAC-Meeting of May 29, 1984 Property Owner: Francis Glenn Winkler SE/S Southwestern Boulevard 184.35' N/E from c/1 Knecht Ave. Existing Zoning: M.L.-IM Proposed Zoning: Variance to permit a rear yard setback of 10' in lieu

District:

Dear Mr. Jablon:

The entrance to this site is subject to the State Highway Administration's approval.

of the required 30'.

Traffic Engineering Assoc. II

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON MARYLAND 21204-2586

June 18, 1984

Mr. William Hammond Toning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Francis Glenn Winkler

Location: SE/S Southwestern Blvd. 184.35' N/E from c/1 Knecht Ave. Zoning Agenda: Meeting of 5/29/84 Item No.: 317

Gentlemen:

PAUL H. REINCKE CHIEF

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 *Life Safety Code*, 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER Cast Tools Kelly 6 1884 Approved:

Planning Group Fire Prevention Purpage Special Inspection Division

COVAHEY & BOOZER ATTORNEYS AT LAW 614 BOSLEY AVENUE TOWSON, MARYLAND 21204

EDWARD C. COVAHEY, JR. F. VERNON BOOZER MARK S. DEVAN J. MELVILLE TOWNSEND

June 12, 1984

Mr. <u>Nicholas Commodari</u> Office of Planning and Zoning

for Baltimore County Itim # 317 Henn Winkler Court House Towson, MD 21204

RE: Winkler Welding, Inc. 4307 Southwestern Boulevard

Dear Mr. Commodari:

FVB/pa

My client is quite anxious to proceed to obtain the required zoning re the above and accordingly it would be appreciated if you would advise me as to the status of this matter and when we may expect same to be scheduled for

Thank you.

Very truly yours,

F. Vernon Boozer

July 1984

F. Vernon Booser, Esquire 614 Bosley Avenue Towson, Maryland 21204

> NOTICE OF HEARING Re: Petition for Variance SE/S of Southwestern Blvdl, 184.35' NE of Knecht Avenue (4307 Southwestern Blvd.) Francis Glenn Winkler - Petitioners Case No. 85-29-A

TIME: 10:00 A.M.

DATE: Tuesday, July 31, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake

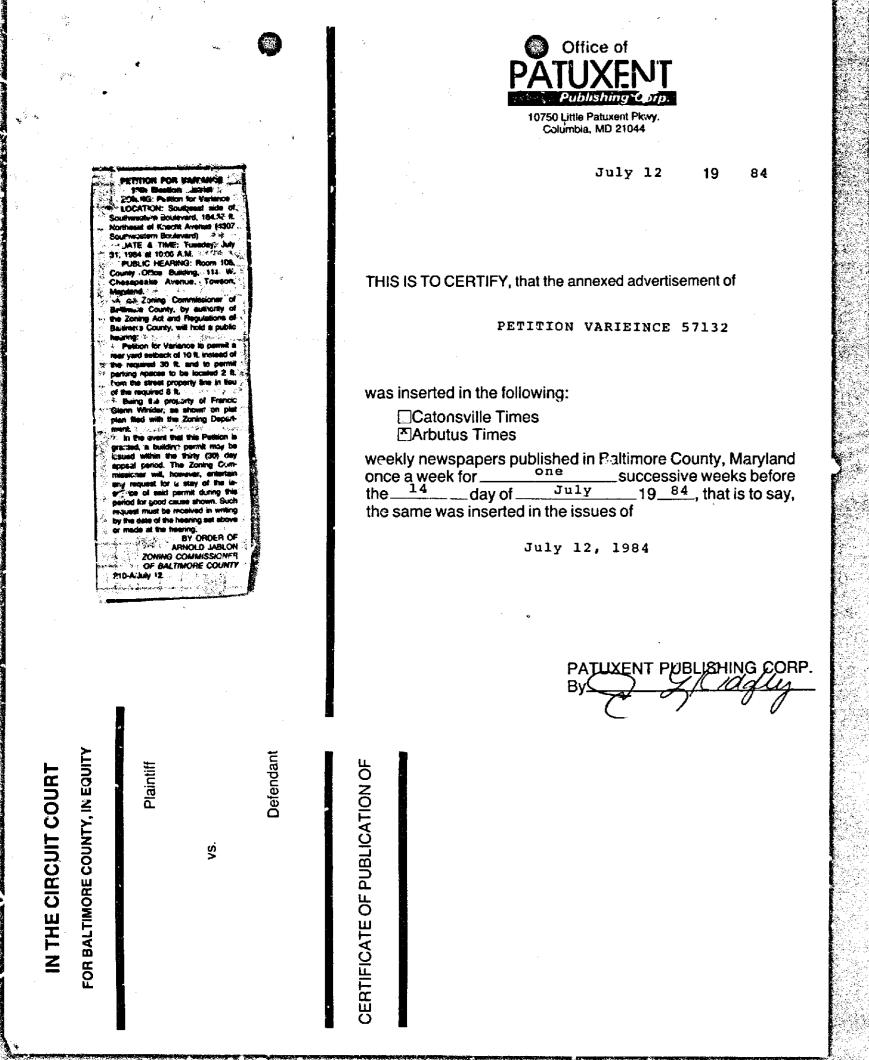
Avenue, Towson, Maryland

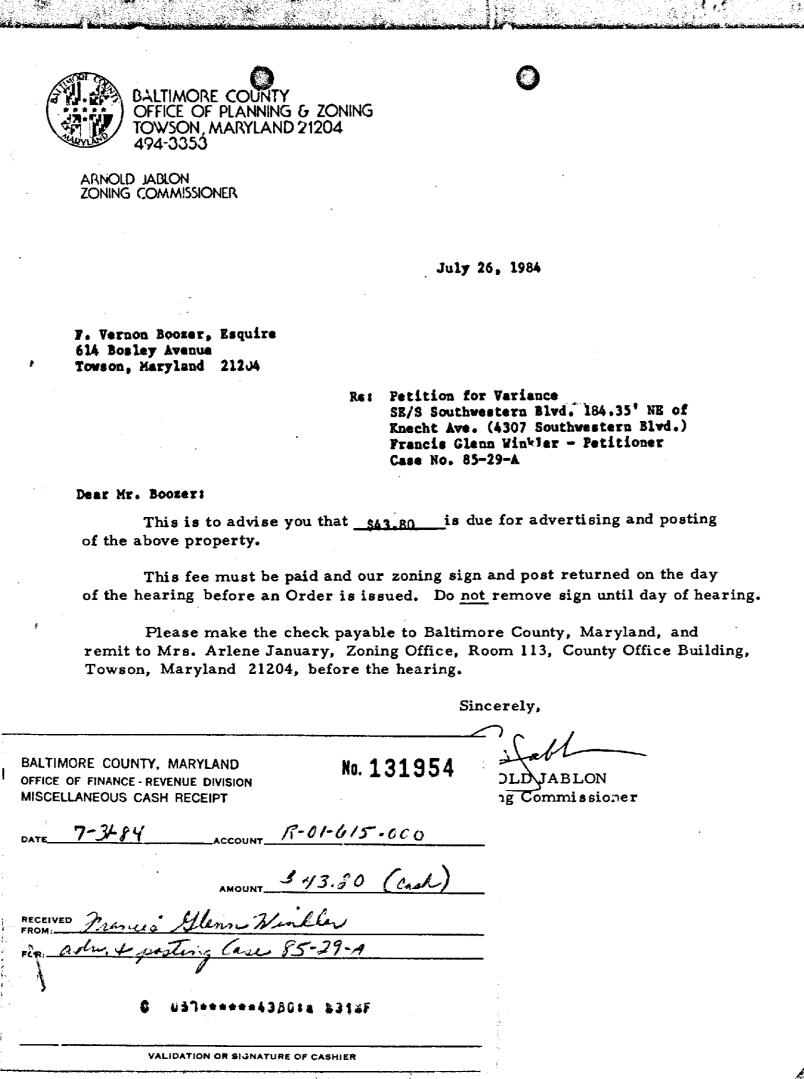
Zoning Compilssioner of Baltimore County

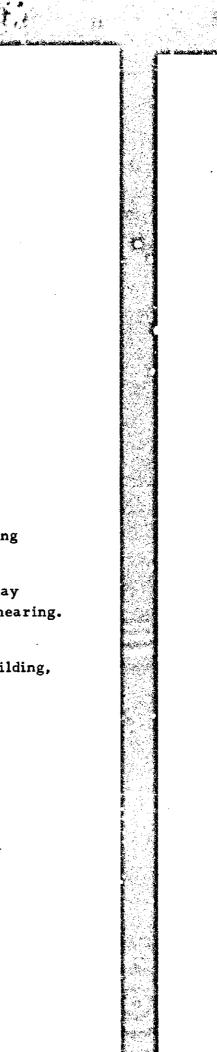
BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

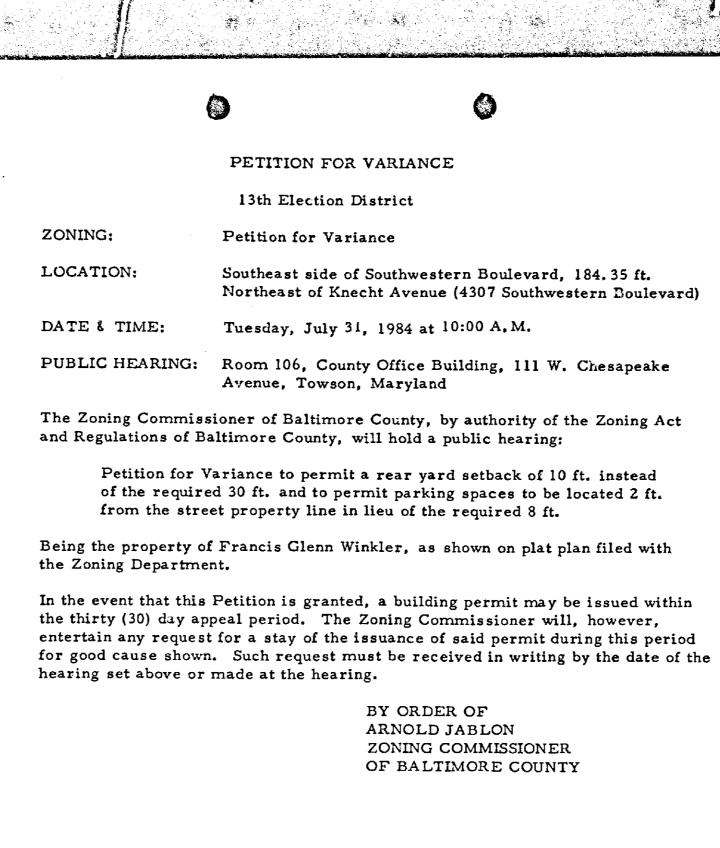
No. 130234

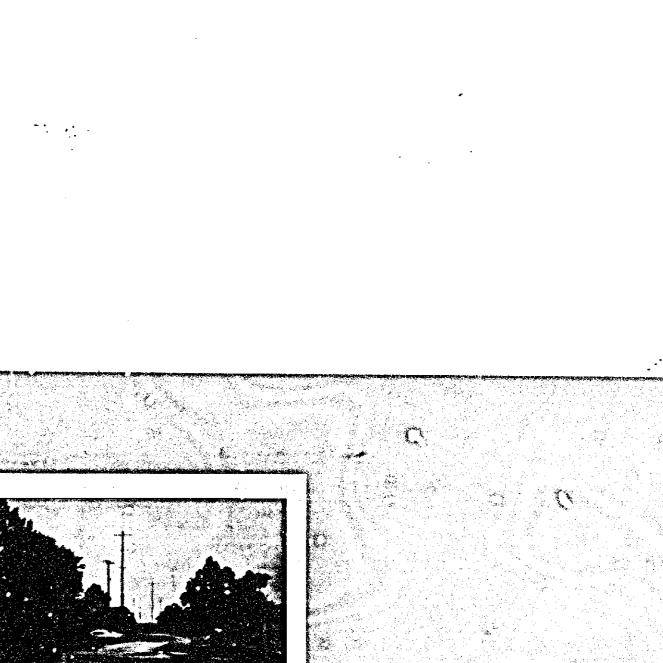
C C23----1000010 8154A











JOHN C. MELLEMA SR.

Beginning on the southeast side of Southwestern Boulevard at a point

Southwestern Boulevard from the corner formed by the intersection of the said scutheast side of Southwestern Boulevard with the northeast side of Knecht

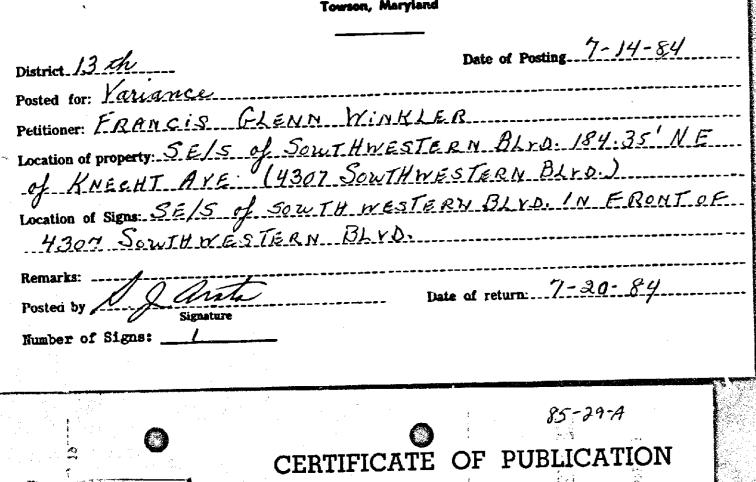
Avenue thence (1) North 27 degrees 57 minutes 40 seconds East 202.91 (2) South

58 degrees 03 minutes 41 seconds West 100.00 feet to the place of beginning.

61 degrees 44 minutes 56 seconds East 146.47 feet;(3) South 31 degrees 56 minutes 07 seconds West 386.34 feet;(4) North 58 degrees 17 minutes 56 seconds West 19.98 feet;(5) North 27 degrees 57 minutes 40 seconds East 175.00 feet;(6) North

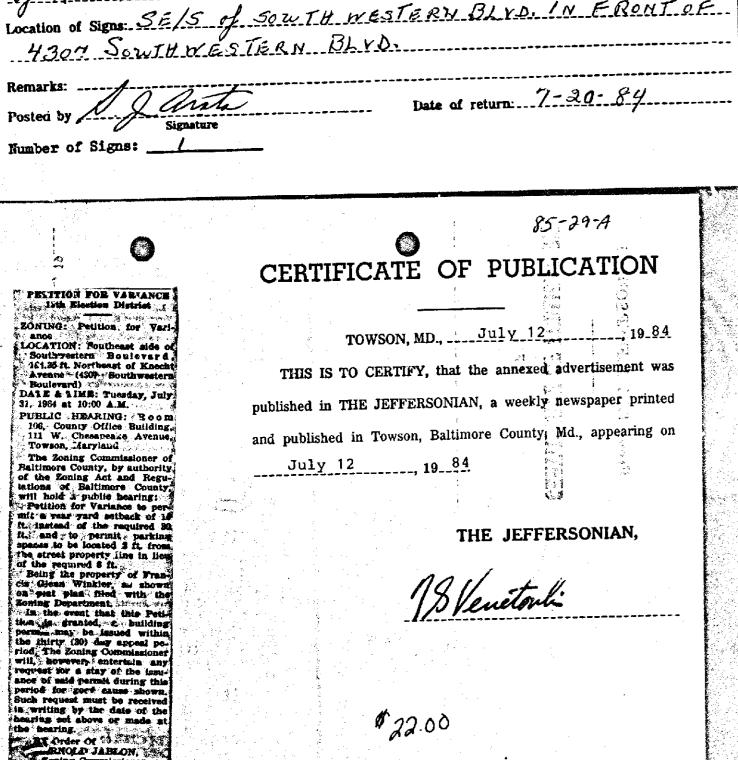
situate 184.35 feet measured northeasterly along the southeast side of

Also known as 4307 Southwestern Boulevard.



CERTIFICATE OF POSTING

85-29-A







6100 BALTIMORE NATIONAL PIKE

CATONSVILLE, MARYLAND 21228

SUITE 5 AND 6

